

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

BIENVENIDO P. ONG,

Plaintiff,

-against-

TOWN OF WALKILL BUILDING DEPT. &
PERSONNEL, et al.,

Defendants.

25-CV-2123 (LTS)

ORDER DIRECTING IFP APPLICATION
AND SIGNATURE

LAURA TAYLOR SWAIN, Chief United States District Judge:

Plaintiff brings this action *pro se*. To initiate this matter, he submitted one document that is unsigned. The document includes (1) a request for waiver of the fees to initiate this action and (2) what appears to be Plaintiff's complaint. This document is deficient. Accordingly, the Court directs Plaintiff, within 30 days of the date of this order, (1) to complete, sign, and submit the attached application to proceed *in forma pauperis* ("IFP"); and (2) to complete, sign, and submit the attached complaint form.

DICUSSION

Under Rule 3 of the Federal Rules of Civil Procedure, "[a] civil action is commenced by filing a complaint with the court." Fed. R. Civ. P. 3. Moreover, under Rule 11(a) of the Federal Rules of Civil Procedure, "[e]very pleading, written motion, and other paper must be signed . . . by a party personally if the party is unrepresented." Fed. R. Civ. P. 11(a); *see Becker v. Montgomery*, 532 U.S. 757, 764 (2001) (interpreting Rule 11(a) to require, "as it did in John Hancock's day, a name handwritten (or a mark handplaced)").

As noted above, Plaintiff submitted an unsigned document where he provides information ordinarily included in an IFP application. Because this document is deficient, the Court directs Plaintiff to file a completed IFP application. The Court also directs Plaintiff to file a completed

complaint form, because the form he submitted is unsigned, does not include a statement of facts, a description of Plaintiff's claims, or the relief he seeks.

CONCLUSION

The Court directs Plaintiff, within 30 days of the date of this order, to file the attached IFP application and complaint form, as described above.

No summons or answer shall issue at this time. If Plaintiff complies with this order, the case shall be processed in accordance with the procedures of the Clerk's Office. If Plaintiff fails to comply with this order within the time allowed, the action will be dismissed without prejudice.

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore *in forma pauperis* status is denied for the purpose of an appeal. *Cf. Coppedge v. United States*, 369 U.S. 438, 444–45 (1962) (holding that appellant demonstrates good faith when seeking review of a nonfrivolous issue).

SO ORDERED.

Dated: March 19, 2025
New York, New York

/s/ Laura Taylor Swain
LAURA TAYLOR SWAIN
Chief United States District Judge